



Practitioner's Docket No. 1026-017C2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Julie Bartholomew et al.

Application No.: 10/716,317

Group No.: 3751

Filed: 11/18/2003

Examiner: Douglas, Steven O.

For: APPARATUS AND METHOD FOR CUSTOM COSMETIC DISPENSER

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is a Response and Amendment in response to the Notice of Non-Compliance mailed August 5, 2004 and a copy of the Amendment Transmittal as filed with the Response and Amendment of July 27, 2004.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

X deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10*

with sufficient postage as first class mail.

X as "Express Mail Post Office to Addressee"

Mailing Label No. EV514713795US

TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (703) _____ - _____

Signature

Date: 08-30-04

Roni L. Masquelier

(type or print name of person certifying)

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA				ADDIT. FEE
TOTAL	36	- 36	= 16	x	\$ 18.00	= \$	0.00
INDEP.	3	- 3	= 0	x	\$ 86.00	= \$	0.00
					+		
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					\$ 0.00	= \$	0.00
					TOTAL		
					ADDIT. FEE	\$	0.00

No additional fee is required.

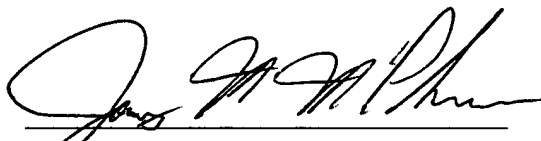
FEE DEFICIENCY

5. If an additional extension and/or fee is required, charge Account No. 50-1097.

If an additional fee for claims is required, charge Account No. 50-1097.

Date:

Aug 30, 2004



James M. McPherson
 Registration No. 53,306
 Dobrusin & Thennisch PC
 401 S. Old Woodward Avenue
 Suite 311
 Birmingham, MI 48009
 248-593-9900
 Customer No. 25215

8/31/04

17W



Express Mail No. EV514713795US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bartholomew et al.

Group Art Unit: 3751

Serial No.: 10/716,317

Examiner: Douglas, Steven O.

Filed: November 18, 2003

For: APPARATUS AND METHOD FOR CUSTOM COSMETIC DISPENSING

Attorney Docket No.: 1026.017c2

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE AND AMENDMENT

In response to the Notice of Non-Compliant Amendment mailed August 5, 2004, please amend the above-identified application as follows and consider the following remarks.